



**Student Code of Conduct
2011-2012**

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KIPP New Orleans Schools Student Code of Conduct

Mission

KIPP New Orleans Schools (KNOS) is a network of free, open enrollment, college-preparatory public schools that empowers students with the knowledge, skills, and character traits necessary to succeed in competitive high schools, colleges, and the world beyond. KNOS conducts a nondiscriminatory application and enrollment process; accepts all applicants in accordance with Louisiana charter law; and abides by civil rights laws, the Americans with Disabilities Act (ADA), and Individuals with Disabilities Education Act (IDEA).

Purpose of the Student Code of Conduct

The Student Code of Conduct is established to create a consistent set of positive expectations for student behavior in our schools. The Code of Conduct reflects KNOS' norms and is intended to reinforce positive behavior and provide students with opportunities to develop appropriate social skills. The Student Code of Conduct explains the rights and responsibilities of all members of the school community in order to provide students a safe, positive, supportive, and achievement-oriented learning environment.

The Student Code of Conduct also outlines the interventions and consequences for students who do not meet expectations and choose, instead, to engage in inappropriate behavior. This document outlines a range of appropriate responses for inappropriate behaviors. The Student Code of Conduct applies to actions of students during school, on the way to and from school, while on school property, while traveling in vehicles sponsored by KNOS, at all school-sponsored events, and on social networking websites and other internet correspondence.

The Student Code of Conduct applies to all students and shall be administered in accordance with federal laws and state laws and mandates, including but not limited to, RS: 17: 252- Model Master Discipline Plan, House Bill No. 1487/ Act No. 756, and Schedule G of the Charter Agreement. The KNOS Student Code of Conduct for SY 11/12 has been written with consideration of House Bill 559 requiring public school governing authorities to publish related information on their websites and Senate Bill 67 relating to school discipline, suspensions and expulsions.

Per state law requirements, KNOS ensures that the Student Code of Conduct is shared with parents/guardians, students, and teachers and is reasonably and consistently enforced. A parent/guardian's refusal to appropriately support their child's education cannot be considered misconduct on the part of the child. In addition, poor academic achievement is not an act of misconduct; thus, the Student Code of Conduct is not used to discipline students for poor academic achievement.

Expectations

General Expectations – The KNOS Credo

If there is a problem, we look for a solution.

If there is a better way, we find it.

If a teammate needs help, we give.

If we need help, we ask.

Behavior Expectations

KNOS is committed to using positive behavior supports and effective tools, strategies and incentives to ensure a safe and orderly school environment and a caring school culture. In accordance with Louisiana's mandate for the implementation of a School Master Plan for Discipline, KNOS' school-based leadership teams monitor discipline incidents and referrals by month, time, location, student, grade level and type of incident. On the first day of school, KNOS' school leaders and teachers provide information about behavior expectations and discipline consequences and answer any student questions about compliance with the Code of Conduct. Each parent/guardian of students in grades 4-12 are required to sign a statement of compliance committing to comply with the Student Code of Conduct, ensuring the student arrives on time for school daily, ensuring the student will complete homework assignments, and attend required teacher or school leader conferences.

Each school has behavioral tenets that will inform the decisions made on a case by case basis. From paycheck system to bench systems, these students will abide by the behavioral norms of their school.

Parent Notification and Collaboration System

_____ is committed to keeping parents informed about barriers to successful student performance. _____'s discipline plan incorporates a notification system as a crucial vehicle for communication between home and the school. The notification system is used when a student exhibits behavior that is not acceptable or breaks a school rule during the school day and activities after school.

_____ provides a Notification to parents, which parents are expected to sign and return the next day.

Getting a Notification may result in having the student perform other actions such as missing morning recess or lunch recess, cleaning, and/or writing a letter of apology if the person giving the Notification feels this is warranted. _____ tracks Notifications; accumulating multiple notifications carries consequences.

School Bus Conduct

Transportation to KNOS Schools will be provided. Any student who lives at least one mile from the school is eligible for free transportation. The school bus will pick students up Monday through Friday in time to arrive at school on time. The bus will pick up students at the close of the school day to take them home.

Students must comply with the Student Code of Conduct while traveling on a school bus to and from their homes or school-sponsored activities. If a student commits an infraction covered in the Student Code of Conduct on a school bus or at the school bus stop, the school bus driver/monitor will notify the principal who will require the completion of the “The School Bus Behavior Report”. A copy of the form will be given to the parent/guardian and the student. Based on the severity of the consequence, the principal’s discretion for consequences include regular school-based consequences, as well as bus suspension and/or assigned seating.

If a child is suspended from the bus, it is then the parent/guardian’s responsibility to ensure that the child gets to school on time. KNOS New Orleans will also provide RTA fare for students who lose bus privileges. If a student with special needs receives a bus suspension related to his/her disability, the school is responsible for providing an alternative form of transportation to and from school.

Permission to Walk Home

Permission for students to walk home without the escort of an adult is a sign of increased responsibility. Students in grades 5-8 will be permitted to walk home with their parents’ written permission; students in grades preK-4 will be permitted to walk home with their older siblings and with their parents’ written permission. Written permission forms signed by the student’s parents will be kept on file for the school year. It is a parent/guardian’s responsibility to inform the school of any changes related to walking home.

All students who walk from school to home are expected to follow all school expectations during this transition, as they would be on a school bus. Respect for traffic, other pedestrians, and neighborhood homes and businesses en route to and from home is an important expectation of all students.

Field Trips

Periodic field trips may be scheduled by school personnel in order to provide extensions of the curriculum into community activities. All students are expected to participate in field trips, unless otherwise indicated. The following procedures are used in scheduling educational trips in order to secure the safety and participation of all students:

1. Parental permission must be received in writing for each student prior to any trip. A legal guardian or parent must sign the permission slip to enable the student to participate in the field trip.
2. Transportation for trips will be arranged by the school. All students on educational trips will use the transportation provided by the school.
3. Students will return to the school at the end of the trip and check in with the teacher.
4. Students are subject to the control and regulations of the school and the chaperones. The teacher will review expectations of the chaperones and of the students.
5. The full school uniform will be worn on all educational trips unless special permission is given by the principal.

Visitors to Campus

To provide safe and orderly learning environments, ALL visitors to campus must enter and report to the school office IMMEDIATELY upon entering the school to request authorization from an appropriate school official designated by the school principal. Visitors must wear a badge when visiting the building.

Attendance Expectations

In compliance with the Compulsory School Attendance Law (R.S. 17:221), all students between the ages of seven and eighteen are required to attend a public or private day school unless the child graduates from high school prior to his/her eighteenth birthday. Any child below the age of seven who legally enrolls in school is also subject to the compulsory attendance law.

Attendance Policy for Elementary, Middle and High School Students

Students must be present a minimum of 170 days per school year to be eligible for promotion. Louisiana's attendance policy calls for a 94% attendance rate before a student is granted promotion to the next grade or high school Carnegie Units. High school students missing more than six days per semester may be denied course credit, regardless of grades, and elementary school students missing more than 12 days a semester may not advance to the next grade. *At KNOS, four days of tardiness is the equivalent of one unexcused absence.*

Insert-notifications, steps taken, interventions provided and consequences (i.e. referral to FINS or the Supervisor of child Welfare and Attendance when a student is close to maximum for unexcused absences. The parent of a student with a disability who accumulates close to the number of allowable unexcused absences will be notified of an IEP meeting to develop interventions and incentives to encourage consistent attendance.

Students are required to attend school each day scheduled by the school system, except for excused absences listed below. Absences are "temporarily" excused until the school is able to verify a note from the parent/guardian, or doctor explaining the absence. The principal or his/her designee shall contact parent/guardian to ascertain reasons for absences.

Temporarily Excused Absences

1. Personal illness
3. Death in family (not to exceed one week)
4. Natural catastrophe and/or disaster
5. Participation in school-approved activity, which necessitates student being away from school. (These activities will be reviewed by personnel for educational appropriateness.)
6. Absence for the observance of recognized holidays of the child's own faith
7. Any of the extenuating circumstances listed below:
 - Extended personal illness of a child whose attendance in school would endanger his/her own health or that of his/her classmates, as verified by a physician, dentist, or nurse practitioner licensed to practice in Louisiana

- Extended hospital stay as verified by a physician or dentist licensed to practice in Louisiana
- Extended recuperation from an accident as verified by a physician or dentist licensed to practice in Louisiana
- Extended contagious disease within the family as verified by a physician or dentist licensed to practice in Louisiana
- Children exempt by R.S. 17:226
- Other extenuating circumstances approved by the Supervisor of Child Welfare and Attendance in consultation with the principal or his/her designee.

For any other extenuating circumstances, parent/guardian must make a formal appeal by communicating with the LDE designated Supervisor of Child Welfare and Attendance and requesting that an absence be excused.

Checkouts from School

1. Students who leave school for any reason must sign out through the Main Office.
2. Students may only be signed out by persons whose name(s) appear on the student registration database unless the school receives permission in writing by the parent/guardian in advance.
3. Written permission is to be given by the parent/ guardian or “emergency person” shown on the registration database before each checkout. Picture identification must be presented.
4. Students will not be allowed to check out after 3:00 p.m. unless for reasons approved by the School Principal in advance.

Make-Up Work

- When a student returns to school after an excused absence, the student shall have the opportunity to complete missed assignments.
- Make-up work shall be permitted only when written excuses from parent/guardian have been received in accordance with this policy.
- A student who is absent five (5) or more days in any quarterly grading period must make up missed work before the end of the grading period or the student shall receive an incomplete grade. The student can make up work during the next nine-week grading period, but if he/she fails to do so, the incomplete grade automatically becomes a failing grade. It shall be the responsibility of the teacher to inform the student of the deadline for any make-up work.
- Students missing school as a result of any suspension shall be counted as absent, considered unexcused, and shall be given failing grades for work missed in compliance with State Statute Bulletin #741. If a suspension is modified or reversed through the suspension appeal process, related absences will be excused and the students will receive make-up work for those excused days. For any other extenuating circumstances, parent/guardian shall have the right to appeal the denial of promotion to LDE’s designated Supervisor of Child Welfare and Attendance.

Campus Boundaries

Students remain in the building during school unless dismissed by a school administrator. Students are expected to stay out of any office or unsupervised space without permission.

Homework Expectations

All students are expected to complete assigned homework on time and to seek assistance from teachers and teammates (in that order) if help is required. If a student is absent (unexcused) or on vacation, s/he is required to turn in all assignments when s/he returns to school. Students who fail to complete homework will be assigned the appropriate consequence to ensure completion of missed work.

Original Work

Students are expected to complete all work to the best of their ability. When using other people's work, students will ask permission when possible and credit the author accordingly. Students understand that to copy any other person's work and call it their own (plagiarism) is a violation of copyright law. This pertains to text, graphics, video, and sound on or off the Internet.

Expectations for Changing Classes

Students are expected to remain in their classrooms until the teacher's dismissal. In the time between each class, students move quietly and efficiently to their next class. When walking through the halls, students stay on the right hand side of the hall.

Dress Code Expectations

Essential to meeting the promises of our schools' mission is the establishment of a strong culture that promotes learning. KNOS' dress code is designed to establish a professional atmosphere – one that encourages students to focus their attention on academic, civic, and social learning instead of on dress. Families should refer to the attached section for Dress Code Expectations to understand the specific requirements of each individual KNOS school.

Every day, KNOS students are required to wear school-specific polo or T-shirts (short or long sleeve) and/or sweatshirts, as well as khaki pants. Optional items include solid white undershirts (no logos) and, for cold weather only, long-sleeved white turtleneck, polo shirts, or KNOS sweatshirts. Socks are solid white or black, footwear is solid black athletic or dress shoes with tie or Velcro fastenings (tied or fastened at all times); shoe laces are the same color as the shoe. Belts are required and are black leather or woven with gold or silver buckles of reasonable size.

In keeping with establishing a professional atmosphere and focus on learning, students may not wear:

- Hats, caps, bandanas, hoods or do-rags. Students may wear headbands for the purpose of holding back hair, but they may not cover the majority of the head.
- Clothing that is excessively baggy, tight or low-riding
- Excessive jewelry (including dog tags, chains, multiple or large pieces, piercing other than ears)
- Hair dyes of “unnatural” colors (such as green, blue, purple, bright red, bright orange)

For physical education and sports, the following garments are indicated:

- Plain (logo-free) solid-colored t-shirts and/or sweatshirts may be worn during physical education/sports only
- Solid-colored sweatpants/ jogging suits or shorts (length should fall between the knee and the thigh)
- Sports shoes are required for physical education/sports

Personal Property Expectations

KNOS attempts to create an environment that provides privacy and respects all property. This prevents personal and school items from being lost or stolen. Students bring personal belongings at their own risk. The best protection against loss or theft is to clearly mark all clothing and equipment with the student’s name.

Items such as playing cards, hats (worn indoors), portable electronic devices, (including radios, tape players, CDs, iPods, beepers, and cell phones) should not be seen or heard in the school building. If such items appear while a student is in the building, they will be turned over to the school administration. The item is returned to the parent at the school’s discretion. Repeated violations will result in the student’s parent or guardian attending a conference with school personnel to retrieve the item and other possible consequences.

Student Searches

School officials may search a student if there is reasonable suspicion the student is in possession of an item that is illegal or against school rules. Student vehicles brought on campus, student book bags, school desks and other school property are subject to inspection and search by school authorities at any time without prior notice to students or parents. Students are required to cooperate if asked to open book bags, purses, or any vehicle brought on campus. Additions or changes in offenses and their dispositions may be made as deemed necessary. If this becomes necessary, appropriate announcements will be made to all students. Parents should be aware that state and/or federal law may require modified disciplinary actions for students with disabilities.

In order to maintain the security of all its students, KNOS reserves the right to conduct searches of students and their property. If searches are conducted, the school will ensure that the privacy of the students is respected, and that students and their families are informed of the circumstances surrounding and results of the search.

School Property Expectations

Students are responsible for respecting and maintaining all school property and equipment. Students are thus expected to keep school property clean and in proper working order. This includes books and other learning materials that are to remain free of writing or damage while in students' care. If school property or materials are damaged or lost, the student accepts responsibility for paying to repair or replace the items.

Technology Expectations

Use of the KNOS computer network and other resources is a privilege that will be extended to individuals who observe the expectations of acceptable use as outlined below. Students

- use the network only for activities that support education and research
- use the network in a considerate and polite way at all times, particularly when communicating on the Internet
- use the network for legal purposes only. Illegal activities include tampering with the computer hardware or software, unauthorized entry into computers, or vandalism or destruction of computer files. Such activity is considered a crime under state and federal law
- respect the copyright laws and rules regarding software, information, and attribution of authorship
- keep passwords and accounts private and respect the privacy of those of others.

Internet Expectations

KNOS is fortunate to have a connection to the Internet to supplement other educational resources already available to staff and students. This resource brings with it additional responsibility, however. As Internet users, we must be aware of the many issues involved with the Internet. For one, many valuable resources available on the Internet are not found elsewhere. And yet, many sites are also inappropriate for students and serve no educational value. All users, staff and students alike, are responsible for ensuring that the Internet is – at all times – being used only for educational purposes.

KNOS uses a filtering system to track and monitor all computer use on the network. The filtering system is designed to prevent access to educationally inappropriate sites. However, it is important to understand that no solution is perfect. Due to the nature of the Internet and evolving technology, even with supervision we cannot guarantee that students will not find their way to an inappropriate site. It is the student's responsibility to report the opening of any inappropriate site to the teacher and return to the educational topic assigned. The Acceptable Use Policy was developed to ensure the safety of all users. All Internet users should read it carefully and understand it. It is important that students and families

understand that any violation of the policy may result in the loss of Internet privileges as well as other disciplinary action.

Meal Policy and Expectations

Through Sodexho, KNOS offers fresh, prepared breakfasts, lunches and snacks that meet USDA Student Nutrition Guidelines.

Meals

Students may receive breakfast and lunch at no charge when families complete and return a 2009-2010 Free and Reduced Price School Meals Family Application. Applications can be picked up at the school office or downloaded from our website. Parents complete one (1) Free and Reduced Price School Meals Application for each sibling who is enrolled in a KNOS school and include all people living in the household, whether related or not (such as spouses/partners, children, grandparents, other relatives, or friends).

Meals are ordered by families in advance and all students have bar-coded meal cards. As lunch program costs vary from year-to-year – as do breakfast and afternoon snack costs – families are sent updated information each fall (including application forms for free and reduced lunch). Students, generally, eat lunch in the shared common space. Once a student is finished with lunch, s/he should clean his/her place, removing all trash and wiping the table clean. Everyone in the school shares responsibility for the cleanliness of the common space. There are trash cans throughout the space as well as recycling bins for plastic, glass, and paper. If a student spills a drink or food, s/he is expected to clean up after him/herself.

Safety Expectations

Emergency Closings. At times, emergencies such as severe weather can disrupt school operations. In extreme cases, these circumstances may require the closing of the facility. In the event that such an emergency occurs during school hours, we will post over local radio and/or television stations. We will also post all school closures on the KNOS New Orleans website (www.kippneworleans.org).

Fire Drills. Instructions for Fire Drills are posted in each classroom. All students are to move quietly and in a single file line to their assigned outside area. Lines are to remain straight while students are outside and students are to wait to reenter the building until properly notified by their teacher.

False Alarms. A student who deliberately initiates a False Alarm will be referred to the proper authorities for prosecution under the law. In addition, school administrators will impose a penalty of suspension and take other action deemed necessary to prevent a reoccurrence of False Alarms.

Building Security. The school doors are unlocked in the building at 7:00 a.m. each day. The school day officially begins at 7:00 a.m.; therefore, any student arriving before that time must check in with an administrator. Students should enter through the student-designated

entrance of the school and go directly to their assigned area. Access to the school and supervision are not provided for students prior to 7:00 a.m., so parents/guardians are asked to make every effort to have their child arrive at or after this time. Students arriving late should enter through the front doors and check in at the front desk.

Dismissal. Students are dismissed each day at 4:00 p.m. and 2:30 p.m. on Friday, except for those students who attend after-school activities. All students should leave the school and the surrounding premises as soon as they are dismissed from school. Supervision is not provided for students after they are dismissed each day (either at 3:00 or 5:00 p.m.), so parents of students who do not ride the bus are asked to make every effort to pick up their child on time each day according to the dismissal policy of the school.

Minor Accidents. Any accident requiring a visit to the nurse is recorded on an Accident Report Form in the nurse's office. Copies of this report go to the school administration, the nurse's office, and the parent or guardian of the student. Parents/guardians are notified when first aid measures have been carried out.

Major Accidents. In the case of an emergency, the following procedures are followed:

- The school nurse or a staff member carries out immediate first aid and sends a second staff member to call 911 if it is deemed necessary. A third staff member takes care of any other students or persons by safely moving them away from the scene of the incident and patient.
- In cases when a second staff member calls 911, he or she returns to and stays with the first staff member who is administering care.
- A staff member (the second, third, or another) contacts the parents/guardians to inform them of their child's condition.
- If 911 has not been contacted, but the student needs further medical attention, then the parents/guardians should pick up the student for further medical care.
- In cases where the parents/guardians or the designated emergency persons cannot be reached, or where immediate medical attention is needed, the school will contact a local emergency unit to treat and transport the student to the hospital. In such cases, a staff member will accompany the student and stay until a parent/guardian or designated person arrives.

Emergency Evacuations. If an emergency is not immediately time-sensitive, parents or guardians are called to retrieve their children. If students need to be removed from the property for safety reasons, they will be accompanied by teachers to the nearest, open public space. Should these plans not be feasible, the School Leader will request the local fire station to assist the school in sheltering the students and in reaching parents or guardians to make arrangements for them to retrieve their children.

Civil Rights and Harassment and Bullying

KNOS prohibits the harassment, intimidation and bullying of a student by another student in accordance with Louisiana's RS 17-416.13.

Harassment. It is expected that no forms of mental, physical, sexual and/or verbal abuse and harassment toward another person will take place. If a student observes an incident involving harassment, it is his/her responsibility to report the incident to a staff member. Anyone reporting an incident has the right to have his/her identity remain anonymous. Students may also report an incident of harassment by writing an anonymous letter to the staff.

Physical Touch. Students are to keep their hands and feet to themselves at all times. This includes, but is not limited to, public displays of affection, horseplay, pushing, shoving or bumping into each other. Dependent upon the severity, no touch violations can be minor or major violations of the school discipline policy.

Threats. It is expected that no student would make threats against individuals, groups, or the school. Threats of any nature will be taken seriously and may be reported to the proper authorities, as required by law. In addition, KNOS reserves the right to impose a consequence up to and including expulsion from the school when a student has caused a major disruption and emergency situation because of a serious threat.

Cyber Bullying. KNOS students are prohibited from the transmission of any electronic, textual, visual, written or oral communication with the malicious and willful attempt to coerce, abuse, torment, or intimidate a person under the age of 18.

Consequences

Classifying Infractions

Discipline incidents will be classified as Level 1, Level 2, Level 3, and Level 4 infractions.

LEVEL 1 - Productive Personal Environment (Teacher responsibility)

Productive Personal Environment - Behaviors that occur in the classroom and affect only the misbehaving student.

LEVEL 2 - Productive Classroom Environment (Teacher responsibility)

Productive Classroom Environment - Behaviors that occur in the classroom and interfere with the learning of others.

LEVEL 3 - Orderly Environment (Dean of Culture)

Orderly Environment - Behaviors that occur outside the classroom but do negatively affect an orderly environment. These behaviors are generally not intended to cause physical or mental harm to another individual but are also not illegal.

LEVEL 4 - Safe Environment.--Highest Priority (Dean of Culture/Principal Responsibility)

Safe Environment - Behaviors that are intended to cause another individual serious physical or mental harm and/or are illegal.

Level 1 Infractions: Corrective Strategies

District-wide Behavioral Expectations	Examples of Expected Behaviors	Level 1 Infractions	Possible Correctives Strategies: <i>Multiple strategies may be used depending on individual students needs</i>
Be Safe	Walk in hallways	1.1 Horseplay or running in the hall/class 1.2 Throwing objects 1.3 Out-of-assigned seat/table/area	<u>First Infraction</u> <ul style="list-style-type: none"> ● Re-teach the behavioral expectations ● Have the student apologize and make amends with those affected ● Provide a reflective activity
Be Responsible	Arrive to class on time and participate in class	1.4 Inappropriate items in class 1.5 Passive non-compliance i.e., sleeping, refusing to participate 1.6 Unexcused tardiness and absenteeism to class 1.7 Cheating or plagiarism	<u>Corrective Actions for Repeated Infractions:</u> <ul style="list-style-type: none"> ● Contact and/or conference with parent/guardian ● Implement a home/ school communication system ● Utilize check-in/check-out ● Loss of privilege ● Implement a behavior contract that includes expected student behavior, incentives for demonstrating expected behavior and consequences for infractions
Be Respectful	Follow the teacher's directions and use positive language with peers	1.8 Profanity/cursing 1.9 Disruption in class, on school grounds, on school bus or RTA bus 1.10 Any other infraction that the School Leader deems to be similar in severity to other Level 1 infractions 1.11 Ongoing commission of Level 1 infractions	<ul style="list-style-type: none"> ● Refer to the school social worker ● Refer the student to the Response to Intervention Team ● Detention ● Use of in-school intervention ● Bus suspension

Level 2 Infractions: Corrective Strategies

District-wide behavioral Expectations	Examples of Expected Behaviors	Level 2 Infractions	Possible Correctives Strategies: <i>Multiple strategies may be used depending on individual students needs</i>
Be Safe	Solve problems peacefully	2.1 Fighting or instigating a fight 2.2 Using or possessing tobacco products, matches or lighters 2.3 Possession of fireworks	<p><u>For level 2 Infractions, the following steps must be implemented:</u></p> <ol style="list-style-type: none"> 1. MANDATORY parent contact to inform parent of accusation and status of investigation. Parent will be given the option to attend the student conference.
Be Responsible	Take care of school property and ask before borrowing other people's property	2.4 Stealing/possession of stolen property 2.5 Vandalism	<ol style="list-style-type: none"> 2. MANDATORY student conference and school-level investigation.
Be Respectful	Consider other people's feelings and respect personal space	2.6 Making a threat 2.7 Physical assault without bodily harm 2.8 Leaving school grounds without permission 2.9 Any other infraction that the principal deems to be similar in severity to other level 2 infractions 2.10 Ongoing commission of Level 2 infractions	<p><i>If the principal determines that discipline action is warranted:</i></p> <ol style="list-style-type: none"> 3. MANDATORY school level conference with student, parent, principal or designee and staff member(s) involved determining and implementing appropriate corrective strategies. 4. If needed, referral to the Response to Intervention Team to complete a Functional Behavioral Analysis (FBA) and implement Behavioral Intervention Plan (BIP) 5. MANDATORY suspension <p><u>For infractions under 2.4 and 2.10 the following steps shall be taken:</u></p> <ol style="list-style-type: none"> 1. MANDATORY parent contact to inform parent of accusation and status of investigation. Parent will be given the option to attend the student conference. 2. Conference with student 3. RTI team makes assessment and determines appropriate intervention.

Level 3 Infractions: Corrective Strategies

District-wide behavioral Expectations	Examples of Expected Behaviors	Level 3 Infractions	Possible Correctives Strategies: <i>Multiple strategies may be used depending on individual students needs.</i>
Be Safe	Ask for help if you are not safe	3.1 Coming to school under the influence of drugs or alcohol 3.2 Aggravated assault to another student or school district employee with serious bodily injury 3.3 Sexual Assault 3.4 Starting a fire 3.5 Use of any object or substance to harm, frighten or intimidate others	<p><u>For level 3 infractions, the following steps must be implemented:</u></p> <ol style="list-style-type: none"> 1. MANDATORY student conference and school level investigation. <p><i>If the principle determines that a recommendation for expulsion is warranted:</i></p> <ol style="list-style-type: none"> 2. MANDATORY parental contact. 3. MANDATORY school level conference with school social worker. 4. If needed, referral to the Response to Intervention Team to complete RBA. 5. MANDATORY referral to school social worker for assessment and, if necessary, referral to emergency mental health treatment or implementation of school based treatment plan.
Be Responsible	Be cooperative in the event of an emergency	3.6 Causing false fire alarms or making bomb threats 3.7 Extortion 3.8 Theft of property	<p>Corrective Strategies</p> <ul style="list-style-type: none"> • Create home/school communication system • Re-teach the behavior expectations
Be Respectful	Understand when the answer given to you is, “No”	3.9 Bullying 3.10 Inappropriate or unwanted sexual behavior 3.11 Burglary 3.12 Robbery 3.12 Any other infraction that the principal deems to be similar in severity to other Level 3 infractions 3.13 Ongoing commission of Level 3 infractions	<ul style="list-style-type: none"> • Have the student apologize and make amends with those harmed or offended • Provide meaningful reflective activity • Loss of privilege • Create a behavior contract that includes expected student behavior, incentives for demonstrating expected behavior and consequences for infractions • Check-in/check-out • Arrange linkage with a counseling agency • Detention • Suspension • May be recommended for expulsion

Level 4 Infractions—Zero Tolerance: Corrective Strategies

District-wide behavioral Expectations	Examples of Expected Behaviors	Level 3 Infractions	Possible Correctives Strategies: <i>Multiple strategies may be used depending on individual students needs.</i>
Be Safe	Ask for help if you are not safe	4.1 Possession, use of concealment of illegal drugs at school or school related activities 4.2 Possession of a dangerous weapon 4.3 Assault with maiming	For infractions involving possession, use of <u>concealment of illegal drugs and firearms</u> , <u>the following steps must be implemented.</u> 1. MANDATORY student conferences and school-level investigation. <i>If the principal determines that a recommendation for expulsion is warranted:</i> 2. MANDATORY parental contact. 3. MANDATORY school level conference. 4. MANDATORY referral to the Response to Intervention Team to complete FBA. 5. MANDATORY referral to school social worker. 6. MANDATORY referral to outside agencies such as FINNs and/or Juvenile Justice authorities 6. MANDATORY recommendation for expulsion and interim placement.
Be Responsible	Be cooperative in the event of an emergency	4.4 Ongoing commission of Level 3 and 4 infractions resulting in threat of harm to others and self.	
Be Respectful	Understand when the answer given to you is, “No”	4.5 Any other infraction that the principal deems to be similar in severity to other Level 3 or level 4 infractions	

Corrective Strategies: Alternatives to Suspension and Expulsion

Academic success is directly correlated with instructional time received by the student. In the effort to fully implement Positive Behavior Support and reduce the loss of instructional time due to out-of-school suspension and expulsion, KNOS utilizes a wide variety of corrective strategies that do not remove children from valuable instructional time when appropriate.

Corrective Strategies, also known as alternatives to suspension and expulsion, include but are not limited to:

- Contact and/or conference with parent/guardian.
- Behavioral contracts
- Check-in/Check-out (CICO)
- Home/school communication system
- Reflective activity
- Loss of privilege
- Schedule adjustment
- Referral to the school social worker for interventions such as individual or group counseling
- Refer the student to the Response to Intervention Team
- Restorative Justice
- After-school detention
- Saturday School
- Bus Suspension (see School Bus Conduct)
- Supervised work assignment
- Positive Alternative to School Suspension

Corrective strategies also include referral to and collaboration with outside agencies and with court appointed workers for students involved with the juvenile justice system. KNOS is committed to bringing mental health services to its schools and includes consulting psychologists, social workers and psychiatrists in Health and Wellness (SBLT) and IEP Team meetings. KNOS' school leaders, health and wellness chairs and special education coordinators collaborate with consulting mental health clinicians and school-based social workers to identify school-wide behavior concerns and design and implement thematic strands of counseling.

Suspensions

A suspension, in which the student is not allowed to attend school for a designated period of time, is a serious and formal corrective strategy a school takes if a student commits a Level 3 or 4 infraction.

Due Process Procedures for Suspensions

All students shall be treated fairly and honestly in resolving grievances and complaints, and in the consideration of any suspension or expulsion. For Student Code of Conduct infractions that may warrant a suspension or recommendation for expulsion:

1. The school must conduct a student conference and school-level investigation within a 24 hour period.* Investigation includes taking written statements (or helping with the writing of a statement) from teachers and other students who were witnesses to the incident.
2. Prior to any suspension or recommendation for expulsion, the principal or designee must inform the student of the “particular” misconduct of which he/she is accused and the basis for the accusation. **
3. Prior to any suspension or recommendation for expulsion, the principal or designee must give the student an opportunity to present his/her version of the incident and ensure the student’s version is in writing. The principal or designee may call witnesses requested by the student. The principal or designee shall make a reasonable effort to reach a fair determination of the incident before making any disposition. **
4. The school must contact the parent/guardian by telephone on the day of the incident and no later than the following day or send a certified letter giving notice of the suspension, the reason for the suspension, and the date and time of a conference to be conducted within 5 days with the principal or his/her designee required for the readmission of the student.**
5. The school must give the parent/guardian notice in writing of the suspension and the reason for the suspension.** The written notification must include information about the parent’s right to review any evidence that will be presented at the Hearing.
6. The student shall remain in school until the end of the school day unless released into the care of a parent/ guardian. No student should be sent home without proper documentation of the particular misconduct and reason for suspension.
7. In extraordinary circumstances, the principal or designee is authorized to call law enforcement personnel to transport the student home and/or to a designated facility, including juvenile detention.
8. Any parent/guardian of a suspended student shall have the right to appeal a suspension to the KNOS Executive Director or designee. The decision of the Executive Director is final.
9. The school must hold a school-level conference conducted with the principal or designee, parent/guardian, and the school social work specialist within a reasonable time. All students have the right to fair and reasonable treatment during disciplinary proceedings and the opportunity to present evidence and defend his/her actions. Your child has a right to bring a representative of his/her choice to all disciplinary proceedings. If a parent encounters a problem with discipline procedures and/or fair student treatment, the parent may contact the Student Support Office.

*RSD Policy

** Louisiana State Law

Appeal of Suspension

Any parent/guardian of a suspended student shall have the right to appeal a suspension to the KNOS New Orleans Executive Director or designee. The Executive Director or designee will conduct a hearing to review the suspension and make a decision based on the merits of the case. The decision of the Executive Director shall be final. Parents of students with disabilities who disagree with any long-term removal for disciplinary reasons have the right to request a due process hearing.

To appeal a suspension, the parent must submit a written statement of appeal request within five (5) school days after the beginning date of the suspension to the LDE Hearing Office with a copy of the disciplinary action form (Notification of Suspension). After formal notification of the request, the hearing officer will assess the merits of the case. The decision of the Hearing Officer shall be final.

Expulsions

Expulsion is defined as “a removal from all regular school settings for a period of not less than one school semester.” Any student, after being suspended for committing an expellable offense, may be expelled upon recommendation by the school principal. The principal may immediately suspend and recommend for expulsion a student who is found carrying or possessing:

- a firearm
- a knife, the blade of which equals or exceeds two inches in length (unless that student is eleven years of age in pre-kindergarten through grade five, in which case, suspension is permissible but not required)
- another dangerous instrument
- any controlled dangerous substance governed by the Uniform Controlled Dangerous Substances Law, in any form (including any student who distributes, sells, gives, or loans one of these substances).
- Any student who has been suspended on three occasions for committing any of the level 3 and 4 offenses during the same school year, may on committing the fourth such offense be expelled from all public schools within the Recovery School District until the beginning of the next regular school year. The student’s reinstatement shall be subject to the review and approval of the KNOS Executive Director. A hearing to consider the recommendation for long-term suspension and/or expulsion shall be conducted by the KNOS Executive Director or his/her designee.
- Any student who has been expelled will be not be readmitted to a public school within KNOS without the approval of the KNOS Executive Director.

Note: No student who has been expelled shall be admitted to any public school in any other parish or city school system in the state except upon the review and approval of the governing authority of the school system to which he seeks admittance.

Due Process Procedures for Expulsions

A principal cannot expel a student. A principal can recommend a student for expulsion. If a principal recommends a student for expulsion the student will be “suspended pending a hearing for a recommendation for expulsion”. The student will then have an expulsion hearing, in which an impartial hearing officer will determine if the recommendation for expulsion is upheld, denied, or modified.

The due process procedures for recommendations for expulsion hearings are as follows:

1. The school must conduct a student conference and school-level investigation within a 48-hour period.* Investigation includes collecting written statements from staff and student witnesses.
2. Prior to any suspension or recommendation for expulsion, the school principal or designee must inform the student of the “particular misconduct of which he/she is accused” and the basis for the accusation. **
3. Prior to any suspension or recommendation for expulsion, the principal or designee must give the student an opportunity to present his/her version of the incident. The student’s version must be written or summarized and signed by the student. The principal or designee may call witnesses requested by the student. The principal or designee shall make a reasonable effort to reach a fair determination of the incident before making any disposition. **
4. The parent must be notified by phone, in person or by certified letter of the incident, immediate suspension, possible recommendation for expulsion, and a proposed time to meet within five days on the day of the incident and no later than the following day.
5. The student shall remain in school until the end of the school day unless released into the care of a parent/ guardian. No student should be sent home without proper documentation of the particular misconduct and reason for suspension. In extraordinary circumstances, the principal or designee is authorized to call law enforcement personnel to transport the student home and/or to a designated facility, including juvenile detention.
6. Within 48 hours of completing the investigation, the appropriate paper work must be submitted to the Hearing Officer engaged by KNOS. An impartial hearing officer must have a graduate degree in Social Work, Sociology, Counseling, Education Law, or other related fields; demonstrate effective interpersonal skills; have experience in conflict resolution and mediation; demonstrate problem- solving skills; have familiarity with interventions and alternative education process/procedures; and operate independently and without conflict of interest with the entity recommending expulsion.
7. Within 48 hours after completing the investigation, the parent must be provided with written notification of the recommendation for expulsion, the reason for the recommendation for expulsion, the date and time of a hearing to determine whether the student is expelled, and the parent’s rights.
8. Within three days of the incident, the school must provide the RSD (1641 Poland Avenue) Hearing Officer with copies of the required expulsion documents including:

- ✓ Student Incident form
- ✓ Expulsion Recommendation form (474)
- ✓ LDOE Behavior Report Form
- ✓ Expulsion Recommendation checklist
- ✓ Notification of expulsion and right to appeal

The RSD Hearing Officer will review the documentation for compliance with federal and state regulations and has the authority to affirm, modify, or reverse previous actions and notifies the Charter School Board in writing within two days.

9. A hearing is conducted within 10 days of the incident by the impartial hearing officer.
10. The principal, teacher and student, may be represented by someone of their choice at this hearing. The student may present a defense of his/her actions.
11. Until the hearing takes place, the student shall remain on suspension from school and all KNOS activities.
12. The parent/guardian of the student, within five days after the decision to expel the student has been rendered, may request in writing that the KNOS Board of Directors review findings of the impartial hearing officer. Otherwise, the decision of impartial hearing officer is final.
13. The Board, schedules a hearing and/or reviews the findings of the impartial hearing officer and affirms, modifies, or reverses the action previously taken.
14. If the Board upholds the decision of the impartial hearing officer, the parent/guardian may within 10 days, appeal to the district court for the parish in which the student's school is located. The court may reverse the ruling of the Board.

Direct Expulsion

The conviction of any student for a felony or the incarceration of any student in a juvenile institution for an act which, had it been committed by an adult, would have constituted a felony may be cause for expulsion of the student for a period of time as determined by the principal, in consultation with the Executive Director. The expulsion shall require the vote of two-thirds of the elected members of the state Board of Trustees. Registration and school placement of students convicted of a felony or returning from incarceration will be reviewed by the KNOS Executive Director or his designee in a conference with parents.

The conviction of any student of a felony or the incarceration of any student in a juvenile institution may be sufficient cause for the KNOS Executive Director to refuse admission of said student to any school under his/her jurisdiction except upon review and approval of a majority of the elected members of BESE if and when a request for admission is made to the board.

Referral to and Action by Law Enforcement and Judicial Authorities

Reporting Crimes. KNOS refers any student who has committed a Level 4 offense (and some level 3 offenses) to law enforcement officers, including the reporting of a crime committed by a student with a disability.

Transmittal of Records. School personnel reporting a crime committed by a student, especially a student with a disability must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the

appropriate authorities to which the agency reports the crime. Records must be transmitted only to the extent permitted by the Family Educational Rights and Privacy Act.

Complaint Procedure/ Grievance Policy

Our Pupil Progression Plan stipulates the following steps for the process of an appeal for grade placement and behavioral consequences:

1. *The placement of any student is open to review by a parent or guardian. This parent may also inspect student records.*
2. *If a parent or guardian chooses to appeal, the formal appeal is submitted in writing to the School Leader.*
3. *The School Leader reviews all evidence, makes a judgment, and submits his/ her decision to the school's Health and Wellness Team (H/W Team) for review.*
4. *The H/W Team reviews all evidence, makes a judgment, and forwards a decision in writing and with appropriate evidence to the parent who filed the appeal.*
5. *The H/W Team decision is communicated within three school weeks of the parent's initial appeal.*
6. *Should the parent be dissatisfied with the H/W Team decision, s/he may appeal to the KNOS Student Services Office.*
7. *The Student Services Office reviews all evidence and renders a final recommendation in collaboration with the KNOS Executive Director, which is communicated to parents within ten days.*

Withdrawals

To withdraw from a school a student must be accompanied by a parent/guardian. The counselor's office must have the new school's name and address. The following procedures will be adhered to for student withdrawal:

- All withdrawal requests must be made twenty-four (24) hours in advance by a parent/guardian in writing. Parent/guardian identification must be provided when withdrawing student.
- Student identification card, textbooks, and library books must be returned prior to withdrawal. All fees must be paid or withdrawal papers will be held.
- After acquiring all necessary signatures, the withdrawal form must be submitted to the principal for review and signature.
- Copies of withdrawal forms will be provided to parent and filed at the school.
- Re-admission of a withdrawn student to any KNOS school is at the full discretion of the School Leader and is not subject to appeal.

Discipline for Students with Disabilities

Overview of Procedural Safeguards

Disciplinary actions give students with disabilities extra legal protections when the discipline constitutes a change in placement. If a student violates the Code of Conduct, before consequences or punishment are imposed, the principal/designee must consider whether the student has an IDEA or Section 504 disability; or is a student who is “thought to have a disability.” While all students may be disciplined, the placement of students with disabilities cannot be “changed” when the offense is directly related to his/her disability or when the IEP or Section 504 plan is not implemented, *except in the case of emergency circumstances (drugs, weapons, significant bodily injury)*.

A student with a disability may not be out of school for more than a total of 10 days per school year as a result of disciplinary action. After the removal of a special education student for more than 10 school days (consecutive or cumulative) for any reason, the student must be provided with procedural safeguards. Procedural safeguards are a set of technical state and federal laws that override all other state laws to the contrary.

The following policy and procedures may be altered to insure individualization of programming as required by federal mandate.

Suspension

After the first suspension the school will:

1. Conduct a Functional Behavior Analysis (FBA).
2. Develop and implement an individual Behavior Intervention Plan (BIP) to address the behavior that resulted in suspension.
3. Conduct a conference with parent/guardian.

After the second suspension, the school will:

1. Reconvene the IEP Team to discuss/review the academic, social, and behavioral needs of the student
2. Conduct a FBA and develop/implement an individual BIP only if the behavior exhibited is a new behavior. If the behavior is a repeated behavior, review/revise the BIP to address the behavior.
3. Discuss, review, and revise the IEP, as needed, to address the behavior resulting in the suspension.

Determining Change in Placement.

A change in placement is a legal term that applies to students removed from school for more than 10 days. A student’s school suspension that occurred in an LA local education agency (LEA) during the same school year of transfer into another LA LEA “counts” and is added to any additional suspensions in the new school.

1. More than 10 Consecutive Days of Suspension, i.e., Expulsion.

Any suspension that is for more than 10 consecutive days is considered to be a change in placement.

2. More than 10 Total Accumulated Days of Suspension in One School Year.

A series of suspensions with days that total more than 10 total school days in a school year is a change in placement. The Special Education Coordinator (SEC), in collaboration with the dean/administrator in charge of school-wide discipline, monitors the number of days each student with a disability has been suspended. The H/W Chairperson, in collaboration with the dean/administrator in charge of school-wide discipline, monitors the number of days each student suspected of having a disability and each student with a 504 Plan has been suspended. Students protected under IDEA and ADA, who have not reached this 10-day threshold, may be suspended under the procedures that apply to all students.

3. Additional Considerations. The following considerations apply to in-school suspension; a suspension or removal for a portion of the school day; and for suspensions from transportation.

- ✓ In-school Suspension. An in-school suspension will not be considered as a suspension for the above purposes as long as a student is given the opportunity to continue to: appropriately participate in the general curriculum; receive IEP specified services; and participate with nondisabled children to the extent (s)he would have in the current placement. Any in-school suspension that does not meet this standard must be considered as a suspension for purposes of these procedures.
- ✓ Suspension/Removal for Portion of School Day. Students sent home from school in the morning because of misconduct is considered to have a full-day suspension. Students sent home in the afternoon is considered to have a half-day suspension. These conditions apply unless the student's BIP specifically calls for the student to receive a shortened school day when certain behaviors are exhibited.

When transportation is an IEP service, a student's removal from the bus is considered to be a suspension **unless** transportation is provided by the RSD in some other way. In this case, transportation has been determined to be necessary for the student to access educational services.

When transportation is not an IEP service, the student's removal from the bus is NOT considered to be a suspension. In this case the student/parent have the same obligations for the student to get to and from school as any nondisabled peers suspended from the bus. However, school officials should consider whether the bus behavior is similar to classroom behavior that is addressed in an IEP and

whether the bus behavior should be addressed in the IEP or through a BIP.

Determining Manifestation Determination and Services.

Within 10 days of any decision resulting in a change of placement the SEC, special education teacher/case manager, parent, and relevant members of the child's IEP Team meet and determine whether the student's behavior is a manifestation of the disability. The team participants review all relevant information in the student's file, including the IEP. If the IEP was not implemented, the team documents why it was not implemented and whether the failure to implement the IEP impacted the student's behavior.

The team also reviews documentation of staff observations of the student's behavior, including behavior across settings and times throughout the school day. The team reviews any relevant information provided by the parents. The team considers the two questions below to determine if the behavior is manifested by the disability.

- ✓ Was the conduct caused by or directly and substantially related to the student's disability?
- ✓ Was the conduct a direct result of the school's failure to follow the student's IEP? If so, the principal must ensure that immediate steps are taken so that the identified deficiencies are remedied.

Behavior Is Manifestation of Disability If the relevant members of the IEP team answers yes to either question, then the student's behavior is a manifestation of his/her disability. In this case:

- Return to Placement. Unless the IEP team agrees to a change of placement as part of the modification of the BIP, the school must return the student to the placement from which (s)he was removed. Note: this provision does not apply to students involved with weapons, drugs or serious bodily injury per the Level 4 infractions applicable to all students.
- FBA & BIP. The IEP team must conduct or review a functional behavioral assessment (FBA) and create a behavior intervention plan (BIP) addressing ways that the school can help the student with the conduct at issue. If the student already has a BIP, it must be reviewed and modified to address how the school can better assist the student with the conduct at issue.

Behavior is NOT Manifestation of Disability

- Same Consequences. If the IEP team agrees that the student's conduct was not a manifestation of his/her disability, the student is subject to the same consequences that apply to all students, except services must continue as described below.¹

Note: If a parent disagrees with the team's decision that the behavior was not a manifestation of the student's disability or with the interim alternative educational services or location, the parent may request an expedited due process hearing to challenge this finding; in this case, the student remains in the alternative setting pending the hearing. If the Hearing Officer agrees with the parent, the student will remain in the school where the offense was committed unless the parent and the school agree to an alternative setting.

- **Required Services.** A student with a disability who is removed from his/her current placement must receive the following services beginning on the 11th day of *cumulative* suspensions during the school year. The IEP team identifies and documents educational services the students will receive to enable the student to continue to participate in the general education curriculum, although in another setting (e.g., an interim alternative educational setting (IAES), etc.) and to progress toward meeting the goals set out in the student's IEP; provides, as appropriate, an FBA and BIP services and modifications, which are designed to address the behavior violation so that it does not recur.; and considers a change in LRE placement as warranted by the student's specific needs.

Weapons, Drugs or Serious Bodily Injury: Emergency Procedures

- In circumstances related to a student's use of weapons, drugs or imposition of serious bodily injury, school officials may remove a student for 45 school days. Because drugs, weapons and serious bodily injury are so dangerous to a safe school climate, a school may remove a student under these circumstances for up to 45 school days regardless of whether an IEP team believes that the behavior is a manifestation of the student's disability. The 45 school days do not include those days the school is not in session, e.g., Spring Break. The IEP team may specify a removal for fewer days than the maximum 45 days.
- During the 45 school day period, the school must convene a meeting to determine whether the student's behavior is a manifestation of his/her disability, whether the student needs a re-evaluation in all areas of suspected disabilities, and/or whether the student needs more intensive services after the suspension period.
- Regardless of whether the student's behavior is a manifestation of his/her disability, the IEP Team identifies and documents educational services the students will receive to enable the student to continue to participate in the general education curriculum, although in another setting (e.g., an interim alternative educational setting (IAES), etc.) and to progress toward meeting the goals set out in the student's IEP.

Expulsion

1. A student may be recommended for expulsion for committing a Level 4 offense that involves guns, other weapons, drugs, and assault with maiming.
2. A student with a disability may not be excluded from school during this period if the total number of days the student has been excluded for the year exceeds ten (10) days. Should the school pursue the Recommendation for Expulsion, the student remains in school, and the impartial hearing officer will consider the recommendation on a case-by-case basis
3. If the Manifestation Determination Committee determines the behavior is related to the student's disability, the student shall not be recommended for expulsion.
4. If the Manifestation Determination Committee determines the behavior is Not Related to the student's disability, an Official Notice of Disciplinary Action Form, along with the Manifestation Determination Summary Form, and submitted to the

- impartial hearing officer within 24 hours of the Manifestation Determination Review hearing. The student's current IEP, Multi-Disciplinary Evaluation (MDE), BIP, police report (if applicable), security report, and other pertinent information must be attached. With incident documentation.
5. If the Hearing Office renders a guilty decision, the length of the expulsion period will be determined. The student will be placed, through the RSD Hearing Office, in an appropriate Interim Alternative Educational Setting (IAES) for up to 45 calendar days. During the 45-day period, appropriate interventions will be developed and implemented to address the behavior(s) for which the expulsion is being recommended.
 6. The school provides complete documentation to the RSD Hearing Officer, who reviews the information for compliance. If the referral packet is complete and compliant, the RSD hearing Officer will determine placement in either a regular campus, alternative school or Saturday School.
 7. If a student is placed at an alternative school, the alternative school staff determines length of stay and services the student will require during the placement. The student must serve the full period of expulsion.
 8. At the end of the expulsion period, the alternative school staff conducts an Exit Interview and determines whether the student returns to the sending school or a new school.
 9. An expelled student who fails to register at the IAES within three (3) school days will be reported to the Truancy Office and the Department of School Social Work Services.

IDEA Due Process Hearing

Parents who disagree with the appropriateness of the alternative placement or services may request an expedited due process hearing. If a school has documented reasons to believe that keeping the student in his/her current school is substantially likely to result in injury to the student or to others, the school can request an emergency hearing to ask a state hearing officer to transfer the student to an IAES for up to 45 school days.

The Louisiana Department of Education will arrange for an expedited hearing, which must occur within 20 school days of the date the request is filed. The hearing officer must make a determination within 10 school days after the hearing. Expedited due process hearing decisions are appealable to state or federal court.

Placement during Appeal of Discipline Decision

Weapons, Drugs or Serious Bodily Injury. The student remains in the IAES pending the decision of the hearing officer or until the expiration of the 45-day or code violation time period (if less than 45 school days), whichever occurs first, unless the parent and school personnel agree otherwise.

Behavior Not Manifested by the Student's Disability. The student remains in the IAES pending the decision of the hearing officer or until the expiration of the 45-day or code violation time period (if less than 45 school days), whichever occurs first, unless the parent and school personnel agree otherwise.

3. Behavior Is Manifested by Student's Disability but Belief Behavior is Substantially Likely to Cause Injury. The student remains in the placement (s)he was in at the time of the behavior in question unless the parent and school personnel agree otherwise.

Students Without IEPs or Section 504 Plans “Deemed to Have a Disability”

In some cases, a student without a disability will be deemed to have a disability. There are certain circumstances that would indicate a school had knowledge that a student might (or is thought to) have a disability prior to the violation of the disciplinary violation. If any of the following three factors above are present, then school officials consider disciplinary action as if the student has a disability.

Evaluation Requested. The parent requested an evaluation.

Written Concern. The parent expressed concern in writing to the student's teacher or school administration about the student's need for special education and related services

Specific Concerns by Staff about Pattern of Behavior. The student's teacher or other school staff told school supervisory personnel of specific concerns about the student's pattern of behavior. Students referred to the H/W Teams and are receiving RTI for behavior management strategies are protected.

This provision does not apply if the parent did not consent to an initial evaluation of the student, refused special education and related services for the student or the student was evaluated and was determined not to have disability.

Application of Section 504 and ADA

Generally, students with disabilities eligible for services only under Section 504/ADA (i.e., need related and supplementary aids and services only) are entitled to the procedural safeguards specified in this section. An exception to this general rule applies to students with behavior that is not a manifestation of his/her disabilities. In this case, these students are entitled to those services normally available to nondisabled students who are suspended or removed pursuant to the school's Code of Conduct. Also, students with offenses that relate to an alcohol or drug addiction are not covered under Section 504/ADA, unless the student is in a program for rehabilitation.

Use of Seclusion and Restraints

Seclusion room (or “Quiet Room” or “Cool Down Room”)

Seclusion is ineffective when used as a form of discipline or punishment, but can be effective as a planned behavior strategy. Seclusion should be used only after the IEP team has carefully considered a continuum of behavior intervention strategies and detailed its use

in the IEP or Behavior Intervention Plan (BIP). Seclusion used only for behaviors that are destructive to property and may involve a substantial risk of injury to a person, aggressive toward others or severely disruptive to the class environment. Such behaviors as general noncompliance, self-stimulation, and academic refusal can be responded to with less stringent and restrictive techniques. The seclusion room should be used only as a last resort if and when less restrictive means of controlling behavior have proven ineffective.

- If the IEP team of a student with an exceptionality determines, based upon the results of a functional assessment of behavior and other relevant information, that an appropriate behavior intervention plan for the student should include the use of a seclusion room, the IEP team includes this information in the student's IEP or BIP and specifies the location of each seclusion room to be used, the maximum length of any period of seclusion, the maximum number of times during a single school day that the student may be placed in a seclusion room, and any other relevant matter agreed to by the IEP team. An IEP team meeting may be requested at any time to review and consider making changes in the use of this behavior intervention strategy.
- A student with a disability will not be placed in a seclusion room if the child is known to have any medical or psychological condition that a licensed health care provider has indicated, in a written statement that is provided to the school and that is on file with the school, precludes this action.
- A student with an exceptionality cannot be placed in a seclusion room except by a school employee who has had training in the appropriate use of seclusion rooms, including getting a student to a seclusion room, placing a student in a seclusion room, and supervising a student while the student is in the room.
- While a student with a disability is in a seclusion room, the school employee who is supervising the student should have the ability to see and hear the student at all times. Not more than one student with a disability should be placed in the same seclusion room at the same time. A seclusion room cannot be locked.

Notification: If a student is secluded, the parent must be notified in writing within 24 hours along with the reason for seclusion and the length of time for seclusion.

Physical restraint and mechanical restraint

Restraint is used only if a student presents a threat of imminent risk of harm to self or others and *only* as a last resort to protect the safety of all involved. Unless the behavior of a student with an exceptionality presents an imminent risk of harm, physical restraint should be used only if there is evidence that other less-restrictive, positive behavior intervention strategies specified in the student's IEP or BIP, as appropriate to the behavior exhibited by the student, have been implemented with integrity but were documented to be ineffective.

- If the IEP team of a student with an exceptionality determines, based upon the results of a FBA and other relevant information, that an appropriate behavior intervention plan for the student should include the use of a physical restraint when

other less-restrictive, positive behavior intervention strategies have been implemented but were ineffective and the child poses a danger to himself or others, the IEP team includes this information in the child's IEP or BIP and any other relevant matter agreed to by the IEP team.

- A student with a disability should not be subjected to any form of mechanical restraint.
- No student with a disability should be subjected to unreasonable, unsafe, or unwarranted use of physical restraint. A school employee uses physical restraint on a student with a disability only if the student's behavior presents an imminent risk of harm.
- Each school employee applying physical restraint uses a method of physical restraint in which the employee has received training and applies the physical restraint in a manner that is proportionate to the circumstances and to the student's size and age and the severity of the student's behavior. Students shall be released from physical restraint as soon as the reasons justifying the use of physical restraint subside.
- A student with a disability is not physically restrained if the child is known to have any medical or psychological condition that a licensed health care provider has indicated, in a written statement that is provided to the school and that is on file with the school, precludes this action.

Notification: If a child is physically restrained, the parent must be notified in writing within 24 hours along with the reason for using physical restraint and the length of time the child was physically restrained.

Documentation

As soon as possible after use of the seclusion room or physical restraint, the school employee who used the seclusion room or physical restraint, or an employee who witnessed its use, documents the use of the seclusion room or the physical restraint. This documentation is completed no later than the school day following the day on which the seclusion room or physical restraint is used, and a copy of the documentation provided to the parent of the student, and a copy is placed in the student's special education file.

Student Code of Conduct

Glossary of Terms

Behavior Contract – also known within KNOS as Commitment to Excellence, an agreement between the child and teacher and, often, the student's parent(s). The behavior contract is a written agreement that indicates how the individual will behave, the appropriate consequence should the student not behave according to the contract, and the reinforcement(s) to be utilized for successful compliance. The behavior contract is intended to provide the student with structure and self-management.

Behavior Intervention Plan (BIP) – a plan that is the result of a Functional Behavioral Analysis (FBA). Behavior intervention plans are written documents that describe the behavior to be changed, strategies or interventions implemented to address the target behavior. Behavior intervention plans are developed by either the classroom teacher or a team of school personnel. Behavior intervention plans assist the teacher in proactively and effectively dealing with behavior. BIPs aid in communicating behavioral expectations to individual students or an entire classroom. BIPs also communicate the consequences of achieving the goal or objective and helps teachers remain consistent. The use of a behavior intervention plan assists in establishing the expectations of the teacher. In addition, BIPs permit frequent feedback regarding the effectiveness of the management strategies being employed, assist in documentation of student or class progress and provide useful guidelines for interacting with students.

Bullying – the act of intentionally causing harm to others through verbal or physical harassment. Cyber Bullying is the electronic, textual, visual, written or oral communication, defined as of any kind made through the use of a computer online service, internet service, or any other means of electronic communication, including but not limited to a local bulletin board service, internet chat room, electronic mail, or online messaging service. Consequences for cyber bullying are governed exclusively by the provisions of Title VII of the Children's Code.

Bus Suspension – a corrective strategy in which a student is not allowed to ride the bus for a specified period of time. This strategy can be used if a student commits an infraction covered by the Student Code of Conduct on a school bus after other corrective strategies have been used.

Change of placement – occurs when either (1) the school removes the student from his or her educational placement for more than 10 consecutive school days; or (2) the school removes the student from his or her educational placement on several occasions that constitute a pattern and add up to more than 10 school days.

Charter Schools – an independent school that is publicly funded. Under Louisiana law, private groups may apply for a “charter,” which allows them to operate an independent school using public money. There are various types of charter schools. Some are chartered by the state Board of Elementary and Secondary Education (BESE), while others are chartered either by the Orleans Parish School Board or the Recovery School District.

KNOS is chartered by the RSD. Charter schools must follow the same state law regarding discipline and the same state and federal law regarding special education.

Check-In/Check-Out (CICO) – a positive behavioral support for students who demonstrate moderate behavior problems. It is intended to provide frequent reinforcement for compliance with behavioral goals. Each of the behavioral goals should be defined in clear behavioral terms. The goals are set and altered by the CICO coordinator (e.g., social worker, counselor) with the support of the Response to Intervention (RTI) team. The CICO coordinator meets twice daily with the student to individually provide social skills training related to each of the designated behavioral goals. The student will review the goals each morning with the CICO coordinator in order to completely understand the behavioral expectations.

Corrective Strategies – also known as alternatives to suspension and expulsion, Corrective Strategies may include, but are not limited to:

- Contact and/or conference with parent/guardian.
- Behavioral contracts
- Check-in/Check-out (CICO)
- Home/school communication system
- Reflective activity
- Loss of privilege
- Schedule adjustment
- Referral to the school social worker
- Referral to Response to Intervention Team
- After-school detention
- Saturday School
- Bus Suspension
- Supervised work assignment
- Suspension

Dangerous Weapon – a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.

Detention – a form of discipline used in schools in which a student is required to spend extra time in school. A detention usually takes place during a period after the end of the regular school day. However, detention may take place at other times, such as before the school day, on the weekend (traditionally known as Saturday School), and during breaks in the school day, such as lunch. Detention is usually considered one of the milder forms of disciplinary action available to a school.

Discipline – the steps or actions that teachers, administrators, support staff, parents, and students follow to enhance student academic and social success.

Due Process Hearing – a formal hearing to resolve special education disputes between parents and schools. The Individuals with Disabilities Education Act (IDEA) includes rules of procedure for resolving such disputes. These rules include mediation, due process hearings and appeals to state or federal court. A due process hearing is usually a formal, contested trial.

Exceptionality – a child’s special learning need. There are several types of exceptionalities, including Autism/Asperger's Syndrome, Emotional Disturbance, Gifted and Talented, Learning Disabilities and Mental Retardation. Identifying a student’s exceptionality is the first step in determining the appropriate academic classroom placement for that student.

Expulsion – any denial of school attendance for the remainder of the school year, for a time designated during the current or next school year, or permanently.

Extortion – the communication of threats to another in order to obtain money, property or services.

Free and Appropriate Public Education (FAPE) – the standard of education that schools must provide to children with special needs or exceptionalities. This means that the school must help to create a specific plan to address the child’s learning needs, place them in the appropriate educational setting appropriate for their needs, and deliver the special education and related services required for the child to learn. FAPE differs for each student because each student has unique needs. FAPE ensures that all students with disabilities receive an appropriate public education at no expense to the family.

Functional Behavioral Analysis (FBA) – a process of examining the function that a particular behavior serves for a student that includes an analysis of the frequency, intensity and duration of a behavior. The end result of the FBA is a Behavior Prevention Plan.

Behavior Intervention Plan (BIP) – a plan to implement intervention for specific behaviors as identified.

Horseplay – Rowdy, rough, or boisterous play.

Home-School Communication System – Communication with families about school programs and student progress through effective school-to-home and home-to-school communications.

Inclusion – Inclusive education means that all students in a school, regardless of their strengths or weaknesses in any area, become part of the school community. (They are included in the feeling of belonging among other students, teachers, and support staff.) The Federal Individuals with Disabilities Education Improvement Act (IDEIA 2004) makes it clear that schools have a duty to educate children with disabilities in general education classrooms where possible.

Individuals with Disabilities Education Improvement Act (IDEIA) – a federal law mandating that all children with disabilities have available to them a free, appropriate public education (FAPE) that emphasizes special education and related services designed to meet

their unique needs and prepare them for employment and independent living. It provides funds to assist states in the education of students with disabilities and requires that states ensure the rights of children with disabilities and their parents are protected. IDEIA also assists states in providing early intervention services for infants and toddlers with disabilities and their families.

Individualized Educational Plan (IEP) – a document that sets out a specific plan for educating children with special needs. Under federal special education law (IDEIA), all children identified as having special learning needs must have an IEP.

IEP Team – a group of people who are responsible for developing, reviewing, and revising the IEP (Individualized Education Plan) for a student with special needs. The IEP team must review each student's progress yearly to determine current progress and future needs. The review needs to consider whether annual goals for the child are being achieved, staff and parental concerns about the student's progress, the results of any reevaluation conducted, and what changes need to be made. By law, the IEP Team must include the following individuals:

- At least one general education teacher, if the student is (or might be) participating in the general education environment
- At least one special education teacher or provider
- A representative of the local educational agency (LEA) who is knowledgeable about specially designed instruction for students with disabilities, the general curriculum, and the availability of LEA resources
- The parent/guardian
- The student, as appropriate
- Someone who can interpret the instructional implications of evaluation results, who may be another team member
- Other people whom the parent/guardian or the school have chosen to invite

In-School Suspension – the temporary removal of a student from the regular school classes and the placement of a student in an approved “timeout” program, usually at the same school.

Instructional Supports – changes that teachers can make in the classroom to help students with exceptionalities learn more efficiently. These changes may include modifications to the classroom environment or method of teaching, as well as finding different methods to assist the student in expressing what he or she has learned. The teacher may also arrange for extra assistance from other school professionals.

Interim Alternative Educational Setting – any public or private school, elementary or secondary school offering a more flexible program of study than a traditional school. Under Louisiana law, children who are expelled must be offered alternative education. This is sometimes done through alternative programs within a school. Other times, school districts place children in a different setting, such as a separate alternative school.

Intervention Services (IS) – interventions used prior to referring a student for a multi-disciplinary evaluation to determine if special education services are needed.

Least Restrictive Environment (LRE) – The federal law, IDEA, mandates that students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate based on the student's needs. This is known as the Least Restrictive Environment (LRE). The IEP Team (including the parent) determines the placement that the student needs to provide the services on the student's IEP and the team must choose the least restrictive environment able to provide those services. This means the student should attend the school he or she would attend if non-disabled, unless the team determines that the nature of the student's disability will not allow that student to have a successful educational experience in that environment.

Local Education Agency (LEA) – a public board of education or other public authority within a state that maintains administrative control of public elementary or secondary schools in a city, county, township, school district or other political sub-division. In New Orleans, NOPS, RSD, and individual schools within KNOS are LEAs.

Manifestation Determination Review (MDR) – a safeguard to ensure that students are not being punished because of their exceptionalities. An MDR examines the child's behavior and previously documented information about the student in an effort to determine whether the behavior for which the student is being disciplined is not a manifestation of the student's disability. The MDR Committee consists of the parent and at least two individuals, one who is familiar with the student's behavioral patterns and one who is knowledgeable of the student's exceptionality.

Multi-Disciplinary Evaluation (MDE) – an assessment of a student's current functioning levels, strengths, and educational needs. Federal and state regulations require that a comprehensive evaluation be conducted to determine if a student has a disabling condition which qualifies him/her to receive special education services. A Re-evaluation should happen at least every three years (See the definition of "re-evaluation" below).

No Child Left Behind Act (NCLB) - The No Child Left Behind Act of 2001, commonly known as NCLB, is a federal law that aims to improve the performance of United States primary and secondary schools by increasing the standards of accountability for states, school districts, and schools, as well as providing parents more flexibility in choosing which schools their children will attend.

Out-of-School Suspension – is the temporary removal of a student from school. Suspensions are limited in time and the student should be able to return to school after the term of suspension is completed. During the suspension period, students are not permitted to visit their school campus.

Placement - If a student is receiving special education or related services under IDEA, the student's placement is the educational setting that the IEP team determines is best for the student, as reflected in his/her written IEP. Placement does not mean the room the student is in, but the program and services most appropriate for him/her, as stated in the IEP.

Positive Behavioral Support (PBS) – an approach to eliminate challenging behaviors and replace them with social skills. Use of PBS is a "best practice" that decreases the need for

more intrusive or aversive interventions (i.e., punishment or suspension) and can lead to both systemic as well as individualized change.

Re-evaluation – If a child already receives special education services, he or she must have a re-evaluation at least every three years or more often if needed. The purpose of a re-evaluation is to: (1) determine whether a student continues to have a disability and needs special education and related services; (2) identify how the student is functioning in school and identify any educational needs; (3) determine if any changes need to be made in the student’s IEP to assist the student in meeting the annual goals and objectives included in the IEP and participating, as appropriate, in the general curriculum.

Reflective Activity – an assignment designed to give the student an opportunity to think critically about an instance in which he/she broke a rule. The assignment should guide the student towards determining an appropriate behavior for the given situation instead of the behavior that broke a school rule. An example of a reflective activity given to a student:

“Write a paragraph answering these two questions:

- 1) What caused you to walk out of the classroom?
- 2) What you could have done differently when you started to feel like you wanted to walk out of the classroom?”

Another reflective activity would include asking the student to fill out a self-evaluation that the teacher then reviews with the student. After discussing the self-evaluation, the teacher and student could develop a plan to help address the student’s areas of weakness.

Related Services – transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education. The following are included within the definition of related services: speech-language pathology and audiology services; psychological services; physical and occupational therapy; recreation, including therapeutic recreation; early identification and assessment of disabilities in children; counseling services, including rehabilitation counseling; orientation and mobility services; medical services for diagnostic or evaluation purposes; school health services; social work services in schools; parent counseling and training; and transportation.

Response to Intervention (RTI) – a process that provides high-quality research-based instruction and interventions that are matched to a student’s needs. This process incorporates data developed to examine the student’s learning rate over time to make appropriate educational and instructional decisions regarding assistance to at-risk students. In the RTI process, students with academic delays and/or behavioral deficits are given one or more research-validated interventions. The student’s academic and behavior progress is monitored frequently to see if the interventions are sufficient to assist the student in reaching the instructional level of his or her grade. If collected data indicates that the student does not demonstrate adequate progress despite several implemented research-based interventions, consideration for special education may be warranted.

Sexual Assault – any physical contact of a sexual nature without voluntary consent. While associated with rape, sexual assault is much broader and the specifics may vary according to social, political or legal definition.

State Education Agency (SEA) – the agency primarily responsible for the supervision of the state’s public elementary and secondary schools. In Louisiana, the SEA is the Louisiana Department of Education.

Suspension – See listing for “In-School Suspension” and “Out-of-School Suspension”.
Vandalism – the conspicuous defacement or destruction of a structure, a symbol or anything else that goes against the will of the owner/governing body, and usually constitutes a crime.

504 Plan – a plan that outlines the services needed by a student that has been identified 504 eligible and protected under Section 504 of the Rehabilitation Act. Essentially, Section 504 covers students who have been defined as having any physical or mental impairment that interferes with any major life activities (learning, walking, talking, etc.). These students may or may not fall under the protection of IDEIA 2004 (Individuals with Disabilities Education Improvement Act).